

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**ADMINISTRATIVE RULE  
FISCAL IMPACT STATEMENT**

**PROPOSED RULE:** 98-263  
**STATE AGENCY:** Solid Waste Management Board

**DATE PREPARED:** Jun 2, 1999  
**DATE RECEIVED:** May 07, 1999

**FISCAL ANALYST:** Kristin Breen  
**PHONE NUMBER:** 232-9567

**Digest of Proposed Rule:** This proposed rule adds 329 IAC 3.1-1-14.1 regarding hazardous waste fees to be consistent with IC 13-22-12. It adds 329 IAC 3.1-6-4 regarding exclusions for processed scrap metal to be consistent with the U.S. Environmental Protection Agency (EPA) final rule in the May 12, 1997, Federal Register (62 FR 26018). It adds 329 IAC 3.1-6-5 on secondary materials in response to House Enrolled Act 1339 - 1997 and Senate Enrolled Act 478 - 1997 that direct the Indiana Department of Environmental Management (IDEM) to develop rules to clarify the exemption from regulation as a hazardous waste for secondary materials that are used as manufacturing ingredients to make products. It amends 329 IAC 3.1-7-2 and 329 IAC 3.1-8-2 to allow generators and transporters to obtain an EPA identification number through forms provided by the commissioner. It amends 329 IAC 3.1-13-15 to allow state permits for post-closure activities for hazardous waste disposal facilities to be effective for a fixed term not to exceed 10 years. It adds definitions and corrects language for clarification of the added or amended sections. It repeals 329 IAC 3.1-1-14.

**Governmental Entities:**

State: This proposed rule amends 329 IAC 3.1-13-15 to allow state permits for post-closure activities for hazardous waste disposal facilities to be effective for a fixed term not to exceed ten years. Although this will not result in monetary savings for IDEM, it will result in a decreased workload since IDEM will have fewer hazardous waste post-closure permits to process annually. This rule places no unfunded mandates upon state government.

There are no state-owned hazardous waste facilities in post-closure.

Local: There is no local fiscal impact. This rule places no unfunded mandates upon any local government unit.

**Regulated Entities:**

This proposed rule will impact hazardous waste disposal facilities that need post-closure permits. It is anticipated that there will be ten hazardous waste facilities with post-closure permits by the end of 1999.

Although this proposed rule will not result in monetary savings for hazardous waste disposal facilities, it will result in a decreased workload for facilities since they will have to apply for fewer hazardous waste post-closure permits.

**Information Sources:** Stephen D. West, Hazardous Waste Permit Section, Indiana Department of Environmental Management, 232-3397; Christine Pedersen, Office of Solid and Hazardous Waste Management, Indiana Department of Environmental Management, 232-8922.